

Berlin
Rm. 700

FCC MAIL SECTION

FEB 05 1991
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DISPATCHED BY

8940-MLB

Trudy M. Mitchell
18100 Commission Road
Longbeach, MS 39560

Re: Channel 54
Slidell, LA
BPCF-900726KG

Dear Ms. Mitchell:

This is with respect to your above-captioned application for a new commercial television station to operate on Channel 54 in Slidell, Louisiana.

On April 30, 1990, you filed your first application for the channel and submitted a check for the filing fee of \$2,250. Your application was accepted for filing on May 25, 1990, and was placed on a cut-off list establishing June 28, 1990, as the deadline for the filing of competing applications. On June 18, 1990, however, we returned your application as inadvertently accepted for filing after we discovered that you had certified that you did not have sufficient net liquid assets on hand to construct and operate the station. In so stating, you admitted that you did not possess one of the basic qualifications for being a Commission licensee. In such cases, it is Commission policy to return the application as unacceptable for filing. Further, because our June 18 action was on the merits of a portion of your application, you forfeited your fee. By public notice released June 22, 1990, the June 28, 1990, cut-off date was deleted for this channel. You did not seek reconsideration of these actions.

On June 25, 1990, we established a new cut-off date of July 31, 1990, for the channel by accepting for filing the application of Caroline K. Powley, d/b/a Unicorn Slidell LPTV. In response to that cut-off date, you filed the above-captioned competing application on July 26, 1990. Your instant application indicates that you are financially qualified to build and operate the station. By that time, however, the fee for new television applications had increased to \$2,535. Under the mistaken belief that you were due a refund on the return of your first application, you submitted a check only for the difference of \$285. As we explained above, however, you have forfeited that fee and must pay the full \$2,535 fee for your new application to be accepted. Consequently, we are returning your check for \$285, and you will be billed for the entire \$2,535.

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payment. Although your application will be accepted for filing, your failure to pay the appropriate fee within 30 days will result in the assessment of a penalty and/or dismissal of your application.

Sincerely,

Clay Pendarvis
Clay C. Pendarvis
Chief, Television Branch
Video Services Division
Mass Media Bureau

Enclosure

MLBerlin/mlb/tv/vsd:MMB
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